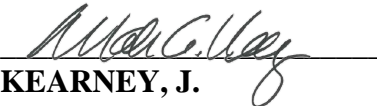


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JERRY PINNELL, <i>et al.</i>	:	CIVIL ACTION
	:	
v.	:	NO. 19-5738
	:	
TEVA PHARMACEUTICALS USA, INC., <i>et al.</i>	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of November 2020, following today's noticed hearing on the Plaintiffs' unopposed Motion for preliminary approval of a Class Action Settlement, Preliminary Certification of Settlement Class, Approval of Class Notice, and scheduling of a Fairness Hearing (ECF Doc. No. 68), upon our raising concerns which counsel believes they can address in a subsequent motion regarding distributional fairness<sup>1</sup> under the current Plan of Allocation, concerns with notices of objections, notices sent by electronic mail to known e-mail addresses, and clarifying the process through which notices sent by mail will be resent upon return, it is **ORDERED** the Plaintiffs' unopposed Motion (ECF Doc. No. 68) is **DENIED** as stated without prejudice to promptly filing a renewed Motion and accompanying Memorandum with a revised Settlement Agreement and/or Plan of Allocation as warranted to specifically address our concerns.

  
KEARNEY, J.

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<sup>1</sup> See e.g., *Date v. Sony Electronics Inc. et al.*, No. 07-15474, 2009 WL 435289, at \*12 (E.D.Mich. Feb. 20, 2009); *Parker v. Time Warner Entertainment Company, L.P.*, No. 98-4265, 2007 WL 9706336, at \* 19-20, (E.D.N.Y. Jan. 26, 2007)(citing *Petruzzi's Inc. v. Darling-Delaware Co., Inc.*, 880 F.Supp. 292, 299 (M.D.Pa. 1995)).